

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ANTHONY WARREN,

Plaintiff,

v.

CITY OF BIRMINGHAM, et al.,

Defendants.

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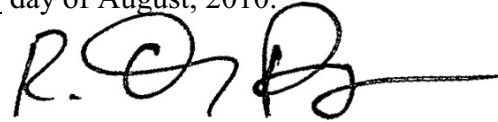
Case No.: 2:09-CV-1025-RRA

ORDER

This case is before the court on the Magistrate Judge's Report and Recommendation (Doc. #57), entered June 23, 2010. Consistent with the Memorandum Opinion entered contemporaneously herewith, the Report and Recommendation is **ADOPTED**. Accordingly, Defendants City of Hoover and McDuffy's Motion to Dismiss (Doc. #37), filed January 25, 2010, is **GRANTED**, and the court **ORDERS** as follows:

1. Plaintiff's Count Four (Failure to Supervise), insofar as it contains a claim against Defendant City of Hoover, is **DISMISSED WITH PREJUDICE**.
2. Plaintiff's Count Five (Inadequate Training), insofar as it contains a claim against Defendant City of Hoover, is **DISMISSED WITH PREJUDICE**.
3. Plaintiff's Count Eight (Denial of Due Process), insofar as it contains a claim against Defendants City of Hoover and McDuffy, is **DISMISSED WITH PREJUDICE**.
4. Plaintiff's Count Nine (Civil Conspiracy), insofar as it contains a claim against Defendant McDuffy, is **DISMISSED WITH PREJUDICE**.
5. Plaintiff's Count Eleven (Outrage), insofar as it contains a claim against Defendant McDuffy, is **DISMISSED WITH PREJUDICE**.

DONE and **ORDERED** this 13th day of August, 2010.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE